

PATENT
Docket No. GC773-2
SN 10/617,281

- Urgent
 Confidential
 Action Required
 Reply Requested
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FAX COVER SHEET

TO: Art Unit 1656

LOCATION: USPTO

Fax No.: (571)273-8300 (Central Facsimile No.)

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FROM: Aida Martin for Victoria L. Boyd,
Patent Counsel

LOCATION: GENENCOR INTERNATIONAL, INC.
Legal Department
925 Page Mill Road
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Tel: 650-846-4068
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DATE: October 11, 2005

NUMBER OF PAGES TO FOLLOW: 5 **SENT BY:** am

Re: Serial No. 10/618,281, Attorney Docket No. GC773-2

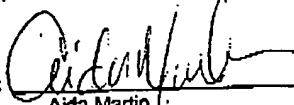
Attachments: Transmittal (1 page) in duplicate and the Response to the
Restriction Requirement (3 pages).

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I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to, Art Unit 1656, Central Facsimile No. (571)273-8300, the Commissioner for Patents, P.O Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: October 11, 2005By: 

Aida Martin

PATENT
Docket No. GC 773-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl. No.: 10/618,281 Confirmation No. 4808

OCT 11 2005

Applicant: Day et al.
Filed: July 11, 2003
Art Unit: 1656
Examiner: William W. Moore
Docket No.: GC773-2

Customer No.: 5100

TRANSMITTAL LETTER

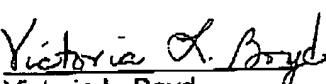
Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement, mailed September 16, 2005, enclosed please find the following document: Response to Restriction Requirement.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC773-2). A duplicate of this paper is enclosed.

Respectfully submitted,


Victoria L. Boyd
Registration No. 43,510

Date: October 11, 2005

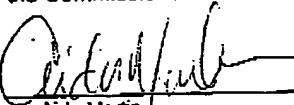
Genencor International, Inc.
925 Page Mill Road
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GC773-2 T-rest.req

PAGE 2/6 * RCVD AT 10/11/2005 11:55:08 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/24 * DNIS:2738300 * CSID:650 845 6504 * DURATION (mm:ss):01:24

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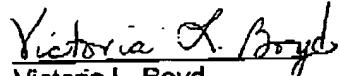
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Restriction Requirement mailed September 16, 2005 in the above-identified patent application where the Examiner has required restriction among the following groups:

Groups 1-92, Claim 1, drawn in part to 92 methods of cleaving a peptide bond in an unspecified protein by contacting the protein with a protease having one of the amino acid sequences set forth in SEQ ID NOs: 1-92;

Groups 93-184, Claims 2-5, drawn in part to 92 methods of identifying a compound that modulates the *in vitro* proteolytic activity of a protease having one of the amino acid sequences set forth in SEQ ID NOs: 1-92;

Groups 185-276 Claim 6, drawn in part to 92 methods of identifying a compound that modulates the intracellular proteolytic activity of a protease having one of the amino acid sequences set forth in SEQ ID NOs: 1-92 comprising expressing a polynucleotide encoding on of SEQ ID NOs: 1-92 in a cell;

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Groups 277-368, Claims 7-16, drawn in part to 92 methods of treating a disease or disorder by administering an unspecified compound that will modulate the activity of a protease having one of the amino acid sequences set forth in SEQ ID NOs: 1-92;

Groups 369-460, Claim 17, drawn in part to 92 methods of treating a disease or disorder by administering a protease having one of the amino acid sequences set forth in SEQ ID NOs: 1-92;

Groups 461-552, Claim 18, drawn in part to 92 methods of diagnosis comprising contacting a sample with a nucleic acid probe that hybridizes to a polynucleotide encoding one of the protease amino acid sequences of SEQ ID NOs: 1-92;

Groups 553-644, Claim 19, drawn in part to 92 methods of diagnosis comprising conducting a sequence analysis of a portion of a nucleic acid sequence encoding one of the protease amino acid sequences of SEQ ID NOs: 1-92 and comparing that sequence with a reference sequence;

Groups 645-736, Claim 20, drawn in part to each of at least 92 antibodies capable of binding to a part of protease having one of the amino acid sequences of SEQ ID NOs: 1-92.

Applicants hereby elect, with traverse, the invention in Group 11, Claim 1, drawn in part to methods of cleaving a peptide bond in an unspecified protein by contacting the protein with a protease having one of the amino acid sequences set forth in SEQ ID NO: 11.

Applicants traverse this restriction requirement and believe that a search and examination of the Groups 11, 379, 471 and 563 can be made without serious burden to the Examiner, see MPEP sections 803 and 808. Group 11 relates to the use of a specific protein to cleave peptide bonds. Group 379 relate to a method of treating a disease using the specific protein. Groups 471 and 563 relate to methods of diagnosis utilizing a polynucleotide that recognizes a nucleic acid that encodes the specific protein. Groups 11, 379, 471 and 563 are very related because a protein sequence requires a DNA sequence encoding the protein sequence. (Applicants note that Groups 379, 471 and 563 are meant to correspond to the Group related to SEQ ID NO:11 within the cluster related to Claims 17-19, respectively. Applicants apologize in advance if their math is incorrect and have led to the misidentification of the proper group.)

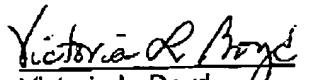
Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected

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Page 2

subject matter. Applicants have fully and completely responded to the Office Action and have made the required election. This application is now in order for early action.

Respectfully submitted,

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